

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Reginald E. Spearman,

Plaintiff,

v.

Deborah A. Harris, et al.,

Defendants.

No. 2:21-cv-01215-KJM-KJN

ORDER

Plaintiff Reginald Spearman is detained and is proceeding without counsel in this matter, which was referred to the assigned Magistrate Judge under this District's Local Rules and 28 U.S.C. § 636(b)(1). The magistrate judge recommends dismissing the action under the screening procedures of 28 U.S.C. § 1915A. ECF No. 7. Mr. Spearman objects, ECF No. 9, and the court has reviewed the file de novo, *see* 28 U.S.C. § 636(b)(1)(C).

This court must ensure it has jurisdiction before considering any person's claims. *United States v. Hays*, 515 U.S. 737, 742 (1995). Although Mr. Spearman refers briefly to "civil rights," *See* Compl. at 2, ECF No. 1, he asserts no claims arising under federal law and does not allege he was deprived of constitutional rights, *see* 28 U.S.C. § 1331; 42 U.S.C. § 1983. Nor can the court infer from his allegations that the parties are diverse. *See* 28 U.S.C. § 1332. This court lacks jurisdiction, even if not for the reasons set forth in the findings and recommendations.

1 The action is **dismissed without prejudice**. This order resolves ECF No. 7 and **closes**
2 **the case**.

3 IT IS SO ORDERED.

4 DATED: December 13, 2021.

5



CHIEF UNITED STATES DISTRICT JUDGE